

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17875 of 2020

Arising Out of PS. Case No.-219 Year-2018 Thana- BARAULI District- Gopalganj

1. Shambhu Chaudhary S/o Late Kailash Chaudhary Resident of Village-Sonbarsha, P.S.- Barauli, Distt- Gopalganj
2. Golu Chaudhary @ Dharmendra Kumar S/o Bhikhi Chaudhary Resident of Village- Allapur, P.S.- Barauli, Distt- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-09-2020 Heard learned counsel for the petitioners and
learned APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Barauli P.S. Case No.219 of 2018 registered under sections 307 and other sections of the Indian Penal Code.

As per allegations in the F.I.R, it is stated by the informant that he received information about the murder of one Brijesh Kumar Yadav who was the truck driver and that the members of his family along with the villagers had blocked NH 28 in protest. It is stated that the mob was being led by Deepak Kumar Singh and the two petitioners happen to be among 50



accused persons named in the F.I.R. besides 150 unknown persons. It is submitted that the accused Deepak Kumar Singh and Narad Chaudhary instigated the mob who attacked the police personnel in which some of the police personnel were injured.

It is submitted by learned counsel for the petitioners that the allegations as leveled against the petitioners are false. They were in no manner involved in the alleged occurrence and their names have been dragged at the instance of the local Chowkidar. The allegations are general and omnibus in nature and large number of persons whose case stands on a similar footing to that of the petitioners have been enlarged on bail. Further co-accused Narad Choudhary has been enlarged on bail in Cr.Misc.No.12676 of 2020. The petitioners have no criminal antecedent.

The application for bail is opposite by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest



or surrender in connection with Barauli P.S. Case No.219 of 2018, they will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. XIV, Gopalganj subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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